

REMARKS

Claims 39 and 51 have been amended to clarify the invention. No new matter has been entered.

In the previous, i.e. Final Action, the Examiner, in characterizing Applicants' claimed invention, appears to have disregarded an important feature and element of Applicant's independent claim 39, namely, that transient signal responses are being measured. Neither Lewis nor Lewandowski teach or suggest reading and evaluation of transient signal responses as required by Applicants' claims. See also, page 4, line 34 of the current application. A "transient" is defined by Merriam-Webster's Online Dictionary (copy attached) as: "passing especially quickly into and out of existence". See also, page 9 and figures 4 and 5 of the current application, from which should be clear to the person skilled in the art that measurements are performed within a very short time span, i.e. as exemplified by Applicants' working example of, e.g. 430-msec. It should be clear from the above that according to the present claimed invention it is NOT of interest to study the entire curves of responses, as stated by the Examiner, but only the extremely short-lived transient signal responses. This is not taught by Lewis nor Lewandowski either considered alone or in combination.

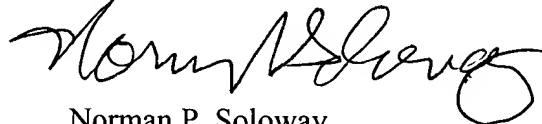
Reconsideration and allowance of the Application, as amended, are respectfully requested.

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In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 08-1391.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 29, 2004, at Tucson, Arizona.

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